IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1906 OF 1979

Smt Shardagauri K Shah .. Plff

vs

Smt Sarojbala N.Shah & ors ... Defts

Mr A.Dasgupta i.b A.N.Narula for Plff

Mr K.F.Merchant i.b Little & Co for Defts

CORAM : D.G. KARNIK, J

DATED : 16th June 2005.

P.C.

1. By an order dated 16th October, 2003 the plaintiff was directed to file an affidavit of evidence under order 18 Rule 4 of the Code of Civil Procedure. The plaintiff has not filed till today an affidavit of any of its witness. Neither the plaintiff nor its witnesses are present in court today. In the circumstances, suit of the plaintiff is dismissed under order 9 Rule 8 of the Code of Civil Procedure.

D.G.KARNIK, J